

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MORSE, a/k/a Michael
Morrison,

Defendant.

CASE NO. CR13-5185BHS

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue the competency hearing and trial date. The Court, having considered the unopposed motion and affidavit of defense counsel, the Defendant's speedy trial waiver, and being familiar with the entire file makes the following findings of fact and conclusions of law:

1. A continuance of the trial date is necessary to allow adequate time for completion of a competency hearing and for subsequent ruling, and because defense counsel has another criminal case set for trial in late July.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of
5 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
6 3161(h)(7)(B)(iv).

7 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
8 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

9 5. The ends of justice served by granting this continuance outweigh the best interests of
10 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

11 6. Defendant waived speedy trial through September 2, 2014.

12 NOW, THEREFORE, IT IS HEREBY ORDERED

13 That the trial date is continued from June 10, 2014, to September 2, 2014, at 9:00 a.m.
14 Pretrial Conference is set for August 25, 2014, at 11:00 a.m. Pretrial motions are due by July 29,
15 2014. A competency hearing is set for June 16, 2014, at 2:30 p.m. The resulting period of delay
16 from May 28, 2014, September 2, 2014, is hereby excluded for speedy trial purposes under 18
17 U.S.C. § 3161(h)(7)(A) and (B)

18 Dated this 29th day of May, 2014.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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